

**ENTERED**

March 05, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

ROHAN K. BALGOBIN and NATASHA §  
BALGOBIN §

Plaintiffs. §

VS. §

CIVIL ACTION NO. 3:18–CV–00114

JPMORGAN CHASE BANK, N.A.; §  
RUSHMORE LOAN MANAGEMENT §  
SERVICES, LLC; WILMINGTON §  
SAVINGS FUND SOCIETY, FSB; and §  
DOES 1-X §

Defendants. §

**ORDER ADOPTING MAGISTRATE JUDGE’S  
MEMORANDUM AND RECOMMENDATION**

Pending before the Court are Plaintiffs Objections to Magistrate Judge’s Findings and Recommendations Pursuant to 28 U.S.C. § 636, Federal Rule of Civil Procedure 72 (“Objections”). Dkt. 39. On January 16, 2019, Defendant JPMorgan Chase Bank, N.A.’s Motion to Dismiss and Brief in Support (Dkt. 13) and Defendants’ [Rushmore Loan Management Services, LLC and Wilmington Savings Fund Society, FSB] Motion to Dismiss (Dkt. 23) were referred to Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 33. On February 15, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 36) recommending that Defendant JPMorgan Chase Bank, N.A.’s Motion to Dismiss and Brief in Support (Dkt. 13) and Defendants’ Motion to Dismiss (Dkt. 23) be **GRANTED**.


On February 26, 2019, Plaintiffs filed their Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison’s Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison’s Memorandum and Recommendation (Dkt. 36) be **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Defendant JPMorgan Chase Bank, N.A.’s Motion to Dismiss and Brief in Support (Dkt. 13) be **GRANTED**; and
- (3) Defendants’ [Rushmore Loan Management Services, LLC and Wilmington Savings Fund Society, FSB] Motion to Dismiss (Dkt. 23) be **GRANTED**.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 5th day of March, 2019.

  
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George C. Hanks Jr.  
United States District Judge